

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/790,418
Inventor(s) : Paolo Veglio et al.
Filed : March 1, 2004
Art Unit : 3761
Examiner : Paula L. Craig
Docket No. : 9562
Confirmation No. : 1478
Customer No. : 27752
Title : PANTILINER

RESPONSE TO NOTICE OF NON-COMPLIANT APPEAL BRIEF

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

INTRODUCTORY REMARKS

In response to the Notification of Non-Compliant Appeal Brief of April 22, 2009, please replace the paragraphs at page 2, lines 3-19 of Appellants' Appeal Brief submitted March 31, 2009, with the following paragraphs:

SUMMARY OF CLAIMED SUBJECT MATTER

The presently claimed invention of independent Claim 1 relates to a sanitary napkin having a body-facing side and a garment-facing side, the sanitary napkin comprising a fluid permeable topsheet, a fluid permeable backsheet, and an absorbent core disposed therebetween. *See* page 2, lines 17-18. The absorbent core comprises relatively hydrophilic material defining a core outer periphery. *See* page 3, lines 24-29. The topsheet and backsheet each comprise relatively hydrophobic nonwoven material. *See, e.g.,* page 3, line 29 to page 4, line 2; and page 5, lines 6-10. At least one of the topsheet and backsheet defines an outer periphery of the sanitary napkin that is substantially larger than the core outer periphery. *See* page 2, lines 21-22 and page 5,

lines 23-32. The area between the core outer periphery and the sanitary napkin outer periphery is a breathable zone that completely surrounds the core outer periphery. *See* page 5, line 25 to page 6, line 9. The sanitary napkin also comprises a fluid impermeable barrier disposed between the backsheet and the absorbent core. *See* page 5, lines 16-22. The fluid impermeable barrier is disposed within said core outer periphery and does not extend beyond said core outer periphery. *Id.* The garment-facing side of the sanitary napkin has pressure sensitive adhesive thereon for affixing the sanitary napkin to the wearer's undergarment. *See* page 3, lines 12-15.

The presently claimed invention of independent Claim 18 relates to a sanitary napkin comprising a fluid permeable topsheet, a fluid permeable backsheet, and an absorbent core disposed therebetween. *See* page 2, lines 17-18. The absorbent core comprises relatively hydrophilic airlaid nonwoven material having fibrous AGM (absorbent gelling material) and defining a core outer periphery. *See* page 4, lines 3-14. The topsheet and backsheet each comprise relatively hydrophobic spunbonded nonwoven material. *See, e.g.,* page 3, line 29 to page 4, line 2; and page 5, lines 2-10. At least one of the topsheet and backsheet defines an outer periphery of the sanitary napkin that is substantially larger than the core outer periphery. *See* page 2, lines 21-22 and page 5, lines 23-32. The area between the core outer periphery and the sanitary napkin outer periphery is a breathable zone that completely surrounds the core outer periphery. *See* page 5, line 25 to page 6, line 9. The sanitary napkin also comprises a fluid impermeable barrier disposed between the backsheet and the absorbent core. *See* page 5, lines 16-22. The fluid impermeable barrier is disposed within said core outer periphery and does not extend beyond said core outer periphery. *Id.*

The presently claimed invention of independent Claim 20 relates to a thin absorbent pantiliner comprising a fluid permeable topsheet, a fluid permeable backsheet, and an absorbent core disposed therebetween. *See* page 2, lines 17-18. The absorbent core has a basis weight of between about 50 and about 100 gsm (grams per square meter) and comprises relatively hydrophilic airlaid nonwoven material having at least about 5%, by weight, of AGM fiber content and defining a core outer periphery. *See* page 4, lines 3-14. The topsheet and backsheet each comprise relatively hydrophobic fluid repellent

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spunbonded nonwoven material. *See, e.g.*, page 3, line 29 to page 4, line 2; and page 5, lines 2-10. At least one of the topsheet and backsheet defines an outer periphery of the pantiliner that is substantially larger than the core outer periphery. *See* page 2, lines 21-22 and page 5, lines 23-32. The area between the core outer periphery and the pantiliner outer periphery is a breathable zone that completely surrounds the core outer periphery. *See* page 5, line 25 to page 6, line 9. The pantiliner also comprises a fluid impermeable barrier which is a polyethylene film disposed between the backsheet and the absorbent core. *See* page 5, lines 16-22. The fluid impermeable barrier is disposed within said core outer periphery and does not extend beyond said core outer periphery. *Id.*

Conclusion

This response represents an earnest effort to place the present application and Appellants' Appeal Brief in proper form for appeal. In view of the foregoing, entry of the Appeal Brief is respectfully requested.

Respectfully submitted,

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